

Amendment No. 1 to HB1143

Curcio
Signature of Sponsor

AMEND Senate Bill No. 284*

House Bill No. 1143

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-50-504(a)(2), is amended by deleting the language "A second or subsequent violation" wherever it appears and substituting "Except as provided in subdivision (a)(3), a second or subsequent violation".

SECTION 2. Tennessee Code Annotated, Section 55-50-504(a), is amended by deleting the language "vehicular assault under § 39-13-106, vehicular homicide under § 39-13-213, or driving while intoxicated under § 55-10-401" wherever it appears and substituting "vehicular assault, under § 39-13-106; aggravated vehicular assault, under § 39-13-115; vehicular homicide under § 39-13-213(a)(2); aggravated vehicular homicide, under § 39-13-218; or driving while intoxicated under § 55-10-401".

SECTION 3. Tennessee Code Annotated, Section 55-50-504(a), is amended by adding the following as a new subdivision:

(3) A third or subsequent violation of subdivision (a)(1) when the person's driver license was cancelled, suspended, or revoked because of a conviction for an offense listed in this subdivision (a)(3) is a Class E felony and shall be punished by confinement for not less than forty-five (45) days nor more than the maximum punishment authorized for the appropriate range of a Class E felony, and, in addition, may be subject to a fine of not more than three thousand dollars (\$3,000). Convictions occurring more than ten (10) years prior to the immediate violation shall not be considered for enhancement purposes under this subdivision (a)(3). However, the department shall abide by all federal rules and regulations relative to the issuance, suspension, and revocation of driver licenses

and qualification of drivers. This subdivision (a)(3) applies to a third or subsequent violation of subdivision (a)(1) if each of the prior violations and the current violation occurred when the person's driver license was cancelled, suspended, or revoked because of a conviction for:

- (A) Vehicular assault, under § 39-13-106;
- (B) Aggravated vehicular assault, under § 39-13-115;
- (C) Vehicular homicide, under § 39-13-213(a)(2);
- (D) Aggravated vehicular homicide, under § 39-13-218; or
- (E) Driving while intoxicated, under § 55-10-401.

SECTION 4. This act takes effect July 1, 2021, the public welfare requiring it, and applies to any offense committed on or after that date.